

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

OCT 6 1981

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

DEC 14 1981

Map filed DEC 15 1981 under 43675

The applicant Sierra Pacific Power CompanyP.O. Box 10100of Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89520

State and Zip Code No.

hereby make application for permission to change the
point of diversion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Article V, Paragraph A of the Truckee River Agreement of
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
June 13, 1935, also being a part of the "Final Decree, the United States of America,
(Identify right in Decree.)

Plaintiff, vs Orr Water Ditch Company, et al, Defendants, in the District Court of the
United States in and for the District of Nevada in Equity Docket No. A-3" (see Remarks*).

1. The source of water is Truckee River
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 40 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for As stated in said Truckee River Agreement
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for As stated in said Truckee River Agreement
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Situate in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 7,
Describe as being within a 40-acre subdivision of public survey and by course and
T19N, R20E, MDB&M, from which point the NE corner of said Section 7 bears N39 $^{\circ}$
distance to a section corner. If on unsurveyed land, it should be stated.
28'E, 3015 feet more or less (North Truckee River - Glendale Treatment Plant).
6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, T19N,
If point of diversion is not changed, do not answer.
R18E, MDB&M from which point the SE corner of said Section 9 bears S75 $^{\circ}$ 16'E,
1650 feet more or less (Highland Ditch).
7. Proposed place of use As described in Truckee River Agreement
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use As described in Truckee River Agreement
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
Water will be diverted from the Truckee River
specifications of your diversion or storage works.) at all proposed points of diversion or any com-
bination thereof by means of existing State manner in which water is to be diverted, i.e. diversion structure, ditches,
dams and open ditches and/or existing pumping stations and pipelines and then
pipes and flumes, or drilled well, etc. transported to existing treatment plants.
12. Estimated cost of works Excess of 15 million dollars has been expended
13. Estimated time required to construct works Completed

14. Estimated time required to complete the application of water to beneficial use Water has been beneficially used since 1935.
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use. Water will be treated and then delivered to Sierra Pacific Power Company water customers within its certificated water service area. Total amount of water to be simultaneously diverted at the existing point of diversion, the point of diversion proposed under this application and proposed under Application No. 43675 and No. 44589 at any specified time shall not exceed 40 cfs. It is the intent of this Application and that of Applications No. 43675 and No. 44589 to retain the existing point of diversion and add this point of diversion and that of Application No. 43675 and No. 44589 as additional points of diversion.
- *In 1935 and by virtue of the Truckee River Agreement Sierra Pacific Power Company waived its then existing Orr Ditch Decree rights in exchange for the 40 cfs. right. Subsequently, this was incorporated into the final Orr Ditch Decree.
- By s/Robert E. Firth
ROBERT E. FIRTH
P.O. Box 10100
Reno, NV 89502
- Compared bl/CS 11/bm
- Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the Point of Diversion of the waters of the Truckee River as heretofore granted under Article V of the Truckee River Agreement - Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The total diversion under Permits 43675, 44589, 44590 and the points of diversion set forth in Article V of the Truckee River Agreement - Truckee River Final Decree shall not exceed 40 c.f.s. nor 28959.1 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 40 cubic feet per second, but not to exceed 28959.1 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 8, 1986

Proof of completion of work shall be filed before February 8, 1986

Application of water to beneficial use shall be made on or before January 8, 1987

Proof of the application of water to beneficial use shall be filed on or before February 8, 1987

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed FEB 03 1986 IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed MAR 6 1987
my office, this 8TH day of JANUARY

Cultural map filed.....

Certificate No. 11851 Issued APR 13 1987 A.D. 19 85

2407 (Rev. 6-81)

State Engineer

Abrogated By 51182 40 cfs cert 11/20/00